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A Limited Liability Partnership

2 Including Professional Corporations

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13 DELTA ELECTRONICS (THAILAND)

PUBLIC COMPANY LIMITED

16 UNITED STATES DISTRICT COURT

17 NORTHERN DISTRICT OF CALIFORNIA

19 SONY ERICSSON MOBILE
COMMUNICATIONS AB,

20 Petitioner,

21 v.

22 DELTA ELECTRONICS (THAILAND)
23 PUBLIC COMPANY LIMITED,

24
25 Respondent.

Case No. 3:09-CV-01326 MMC (BZ)

**STIPULATION AND ORDER RE
RESPONDENT'S WITHDRAWAL OF
JURISDICTIONAL ARGUMENTS IN ITS
OPPOSITION TO PETITION TO
CONFIRM AWARD AND CROSS-
MOTION TO DISMISS**

Petitioner and Respondent stipulate:

1. Delta Electronics (Thailand) Public Company Limited (“Delta”) submits to this Court’s personal jurisdiction in this case and accordingly withdraws its claims concerning lack of jurisdiction in the pleading titled “Respondent’s Opposition to And Notice of Cross-Motion and Cross-Motion to Dismiss Petitioner’s Petition to Confirm Arbitration Award,” (Doc. No. 71). Specifically, Delta withdraws the arguments set forth in Section IV-A of that pleading and the jurisdictional grounds for its motion to dismiss. Delta does not withdraw any other portion of its Opposition or any other ground for relief set forth in its motion to dismiss or stay, including forum non conveniens, international comity, international abstention, and the lack of merit of the underlying award found in sections I, II, III, IV.B – IV.D, V, VI, and VII. This stipulation does not preclude Sony from arguing that such issues have already been determined by the Court.

2. Sony Ericsson Mobile Communications AB (“Sony”) had sought by subpoena discovery to establish personal or quasi in rem jurisdiction. Upon the Court’s execution of the order below, that discovery will be unnecessary. Therefore, effective upon execution, Sony will withdraw its third party subpoenas issued to Delta Products Corporation, DET Logistics (USA) Corporation, Apple, Inc., Wanco, Inc., Brocade Communications Systems, Inc., Hewlett-Packard Company, Sanmina-SCI Corporation, and Hon Hai Precision Industry Co. Ltd. and shall so advise the subpoenaed parties within 24 hours of the Court’s execution of the order below.

SHEPPARD MULLIN RICHTER & HAMPTON LLP

Dated: June 9, 2009

By /s/ Charles S. Donovan
CHARLES S. DONOVAN
Attorneys for Petitioner

FISH & RICHARDSON P.C.

Dated: June 8, 2009

By /s/ David J. Miclean
DAVID J. MICLEAN
Attorneys for Respondent

Having considered the parties' stipulation, the Court orders:

1. Pursuant to stipulation, the Court has personal jurisdiction over Respondent in this case.

2. Within 24 hours of the Court's execution of this order, Sony shall advise Delta Products Corporation, DET Logistics (USA) Corporation, Apple, Inc., Wanco, Inc., Brocade Communications Systems, Inc., Hewlett-Packard Company, Sanmina-SCI Corporation, and Hon Hai Precision Industry Co. Ltd. that Petitioner withdraws the subpoenas it has issued to them, and shall provide Delta copies of such withdrawals.

Dated: June 10, 2009


United States District Judge